

Remarks

Claims 1, 2 and 4 are pending in the present application. Reconsideration and allowance are requested in view of the above amendments and the remarks below. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Furthermore, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application.

Claim 1 and 2 have been amended to address the objections set forth by the Examiner in section 2 of the Office Action.

Claim 1 and 2 have been amended to address the rejection under 35 U.S.C. 112, second paragraph.

Claim 1 is rejected under 35 U.S.C. 103(a) over Calo et al. (U.S. Patent No. 7,127,492), hereafter “Calo,” in view of Ebata et al. (U.S. Patent No. 6,513,061), hereafter “Ebata.” Claims 2-4 are rejected under 35 U.S.C. 103(a) over Calo in view of Li et al. (U.S. Patent No. 6,854,018), hereafter “Li.”

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in

the prior art, and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP § 2143.

The rejections under 35 U.S.C. 103(a) over Calo in view of Ebata or Li are defective because the references, taken alone or in any combination, fail to disclose each and every feature of the claims.

Claim 1 sets forth:

“A data transmission system comprising at least a data transmission network based upon an IP protocol, at least a content server for providing data requested by a user connected to the network, a plurality of proxies having a cache function, each proxy capable of having stored the requested data, one of the proxies comprising a user proxy which receives any request for data from the user, and a domain name server for converting a server name provided by the user to the user proxy into an IP address of the content server;

wherein the domain name server includes a table for providing an IP address of a proxy amongst the plurality of proxies capable of having stored the requested data, the table providing the proxy IP address to the user proxy, which provides the request for data to the proxy storing the requested data without requesting the data from the content server.”

To this extent, in accordance with claim 1 (and similarly claim 2), the user proxy not only receives any request for data from the user, but also receives, from the table, a proxy address of the proxy server that stores the requested data, and subsequently provides the request for data to the proxy server in which the requested data is stored. The references cited by the Examiner, taken alone or in any combination, fail to teach or suggest such a “user proxy.”

Accordingly, Applicants submit that claims 1, 2 and 4 are allowable.

With respect to the dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. The dependent claims are believed to be allowable based on the above

arguments, as well as for their own additional features.

If the Examiner believes that anything further is necessary to place the application in condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

/ John A. Merecki /

Dated: October 1, 2007

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